



6433/PCT/tat

"PATENT APPLICATION"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

ANGELO BENVENUTI ET AL

U.S. Serial No. 10/516,820

Group Art Unit 3724

Filed: December 7, 2004

C. Dexter, Examiner

DEVICE FOR ELIMINATING END  
TRIMMINGS FROM A ROLL OR  
THE LIKE

Alexandria, Virginia  
July 3, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

R E S P O N S E

Dear Sir:

This is in response to the restriction requirement mailed June 14, 2007. The Examiner has stated that claims 1-3, 5-9 and 22 are not subject to the lack of unity restriction, but stated that claims 4, 10-21 and 23 are subject to restriction. Applicants elect to prosecute, along with claims 1-3, 5-9 and 22, in the present application the claims of Group III, i.e., claims 17-20, drawn to a trimmings and scrap eliminating device with a specific longitudinal element configuration. Applicants reserve the right to file a divisional application(s) on the non-elected subject matter of Group I, i.e., claims 4, 15,

6433/USSN 10/516,820  
Group Art Unit 3724

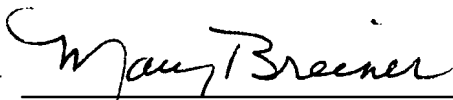
16 and 21, drawn to a trimmings and scrap eliminating device with a specific pusher configuration; Group II, i.e., claims 10-14, drawn to a trimmings and scrap eliminating device with a specific flexible member configuration; and Group IV, i.e., claim 23, drawn to a cutting machine, under the provisions of 35 U.S.C. §121.

The Examiner is also requiring an election of species in the event no generic claim is finally held allowable. Applicants elect Species C - Figure 7. Applicants reserve the right to file a divisional application(s) on the non-elected species of Species A - Figure 5 corresponding to claims 10 and 12 and Species B corresponding to claims 13 and 14. Claims upon which elected Species C reads includes claims 1-9, 11 and 15-23.

Favorable consideration of the application is requested.

Respectfully submitted,

ANGELO BENVENUTI ET AL

By   
\_\_\_\_\_  
Mary J. Breiner, Attorney  
Registration No. 33,161  
BREINER & BREINER, L.L.C.  
P.O. Box 19290  
Alexandria, Virginia 22320-0290

Telephone: (703) 684-6885